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Attorney for Defendant Allianceone Receivables Management, Inc.

Honorable Ronald B. Leighton

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JANICE KROUS,

Plaintiff,

vs.

ALLIANCEONE RECEIVABLES  
MANAGEMENT, INC.,

Defendant.

Case No.: 3:09-CV-05131-RBL

ANSWER AND AFFIRMATIVE DEFENSES  
OF DEFENDANT ALLIANCEONE  
RECEIVABLES MANAGEMENT, INC.

COMES NOW Defendant Allianceone Receivables Management, Inc. ("ARM"), without waiving any objections, rights, and defenses relating to jurisdiction and process, hereby answers Plaintiff's complaint and demand for jury trial as follows:

I. ANSWER

- 1.1. denies the allegations contained in Paragraph I of Plaintiff's Complaint
- 1.2. admits the allegations contained in Paragraph 2.1 of Plaintiff's Complaint.
- 1.3. admits Plaintiff obtained credit from Citibank/Home Depot, and is now in default, and denies the remaining allegations contained in Paragraph 2.2 of Plaintiff's Complaint.
- 1.4. lacks sufficient information to determine the truth or falsity of the allegations

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1 in paragraph 2.3 of plaintiff's complaint, and, therefore, denies the allegations contained in  
2 Paragraph 2.3 of Plaintiff's Complaint.

3 1.5. admits the allegations contained in Paragraph 2.4 of Plaintiff's Complaint.

4 1.6. admits the allegations contained in Paragraph 2.5 of Plaintiff's Complaint.

5 1.7. admits ARM made attempts to collect an assigned account from Plaintiff, and  
6 denies the remaining allegations contained in Paragraph 2.6 of Plaintiff's Complaint.

7 1.8. admits the allegations contained in Paragraph 2.7 of Plaintiff's Complaint.

8 1.9. admits this Court has venue and jurisdiction, and denies liability, and,  
9 therefore, denies the remaining allegations contained in Paragraph 3.1 of Plaintiff's Complaint

10 1.10. denies the allegations contained in Paragraph 3.2 of Plaintiff's Complaint.

11 1.11. lacks sufficient information to determine the truth or falsity of the allegations  
12 in paragraph 4.1 of plaintiff's complaint, and, therefore, denies the allegations contained in  
13 Paragraph 4.1 of Plaintiff's Complaint.

14 1.12. lacks sufficient information to determine the truth or falsity of the allegations  
15 in paragraph 4.2 of plaintiff's complaint, and, therefore, denies the allegations contained in  
16 Paragraph 4.2 of Plaintiff's Complaint.

17 1.13. lacks sufficient information to determine the truth or falsity of the allegations  
18 in paragraph 4.3 of plaintiff's complaint, and, therefore, denies the allegations contained in  
19 Paragraph 4.3 of Plaintiff's Complaint.

20 1.14. ARM admits it was assigned an account against Plaintiff for collection, and denies  
21 the remaining allegations contained in paragraph 4.4 of Plaintiff's Complaint.

22 1.15. ARM denies the allegations contained in Paragraph 4.5 of Plaintiff's Complaint.

23 1.16. denies the allegations contained in Paragraph 4.6 of Plaintiff's Complaint.

24 1.17. denies the allegations contained in Paragraph 4.7 of Plaintiff's Complaint.

25 1.18. denies the allegations contained in Paragraph 4.8 of Plaintiff's Complaint.

26 1.19. ARM denies the allegations contained in Paragraph 4.9 of Plaintiff's Complaint.

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1.20. denies the allegations contained in Paragraph 4.10 of Plaintiff's Complaint.

1.21. denies the allegations contained in Paragraph 4.11 of Plaintiff's Complaint.

1.22. ARM denies the allegations contained in Paragraph 4.12 of Plaintiff's Complaint.

1.23. ARM denies the allegations contained in Paragraph 4.13 of Plaintiff's Complaint.

1.24. denies the allegations contained in Paragraph 4.14 of Plaintiff's Complaint.

1.25. denies the allegations contained in Paragraph 4.15 of Plaintiff's Complaint.

1.26. ARM admits and denies paragraph 5.1 as set forth in paragraphs 1.1 to 1.25 of this

Answer.

1.27. denies the allegations contained in Paragraph 5.2 of Plaintiff's Complaint.

1.28. admits the allegations contained in Paragraph 5.3 of Plaintiff's Complaint.

1.29. admits the allegations contained in Paragraph 5.4 of Plaintiff's Complaint.

1.30. denies the allegations contained in Paragraph 5.5 of Plaintiff's Complaint.

1.31. denies the allegations contained in Paragraph 5.6 of Plaintiff's Complaint.

1.32. ARM admits and denies paragraph 6.1 as set forth in paragraphs 1.1 to 1.31 of this

Answer.

1.33. denies the allegations contained in Paragraph 6.2 of Plaintiff's Complaint.

1.34. denies the allegations contained in Paragraph 6.3 of Plaintiff's Complaint.

1.35. denies the allegations contained in Paragraph 6.4 of Plaintiff's Complaint.

1.36. denies the allegations contained in Paragraph 6.5 of Plaintiff's Complaint.

1.37. denies the allegations contained in Paragraph 6.6 of Plaintiff's Complaint.

1.38. denies the allegations contained in Paragraph 6.7 of Plaintiff's Complaint.

1.39. denies the allegations contained in Paragraph 6.8 of Plaintiff's Complaint.

1.40. denies the allegations contained in Paragraph 6.9 of Plaintiff's Complaint.

1.41. denies the allegations contained in Paragraph 6.10 of Plaintiff's Complaint.

1.42. denies the allegations contained in Paragraph 6.11 of Plaintiff's Complaint.

1.43. ARM admits and denies paragraph 7.1 as set forth in paragraphs 1.1 to 1.42 of this

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1 Answer.

2 1.44. denies the allegations contained in Paragraph 7.2 of Plaintiff's Complaint.

3 1.45. denies the allegations contained in Paragraph 7.3 of Plaintiff's Complaint.

4 1.46. denies the allegations contained in Paragraph 7.4 of Plaintiff's Complaint.

5 1.47. denies the allegations contained in Paragraph 7.5 of Plaintiff's Complaint.

6 1.48. denies the allegations contained in Paragraph 7.6 of Plaintiff's Complaint.

7 1.49. denies the allegations contained in Paragraph 7.7 of Plaintiff's Complaint.

8 1.50. denies the allegations contained in Paragraph 7.8 of Plaintiff's Complaint.

9 1.51. denies the allegations contained in Paragraph 7.9 of Plaintiff's Complaint.

10 1.52. ARM admits and denies paragraph 8.1 as set forth in paragraphs 1.1 to 1.51 of this

11 Answer.

12 1.53. denies the allegations contained in Paragraph 8.2 of Plaintiff's Complaint.

13 1.54. denies the allegations contained in Paragraph 8.3 of Plaintiff's Complaint.

14 1.55. denies the allegations contained in Paragraph 8.4 of Plaintiff's Complaint.

15 1.56. denies the allegations contained in Paragraph 8.5 of Plaintiff's Complaint.

16 1.57. denies the allegations contained in Paragraph 8.6 of Plaintiff's Complaint.

17 1.58. denies the allegations contained in Paragraph 8.7 of Plaintiff's Complaint.

18 1.59. denies the allegations contained in Paragraph 8.8 of Plaintiff's Complaint.

19 1.60. ARM admits and denies paragraph 9.1 as set forth in paragraphs 1.1 to 1.59 of this

20 Answer.

21 1.61. denies the allegations contained in Paragraph 9.2 of Plaintiff's Complaint.

22 1.62. denies the allegations contained in Paragraph 9.3 of Plaintiff's Complaint.

23 1.63. denies the allegations contained in Paragraph 9.4 of Plaintiff's Complaint.

24 1.64. denies the allegations contained in Paragraph 9.5 of Plaintiff's Complaint.

25 1.65. denies the allegations contained in Paragraph 9.6 of Plaintiff's Complaint.

26 1.66. denies the allegations contained in Paragraph 9.7 of Plaintiff's Complaint.

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1 1.67. denies the allegations contained in Paragraph 9.8 of Plaintiff's Complaint.  
2 1.68. denies the allegations contained in Paragraph 9.9 of Plaintiff's Complaint.  
3 1.69. denies the allegations contained in Paragraph 9.10 of Plaintiff's Complaint.  
4 1.70. ARM admits and denies paragraph 10.1 as set forth in paragraphs 1.1 to 1.69 of this  
5 Answer.  
6 1.71. denies the allegations contained in Paragraph 10.2 of Plaintiff's Complaint.  
7 1.72. denies the allegations contained in Paragraph 10.3 of Plaintiff's Complaint.  
8 1.73. denies the allegations contained in Paragraph 10.4 of Plaintiff's Complaint.  
9 1.74. denies the allegations contained in Paragraph 10.5 of Plaintiff's Complaint.  
10 1.75. denies the allegations contained in Paragraph 10.6 of Plaintiff's Complaint.  
11 1.76. denies the allegations contained in Paragraph 10.7 of Plaintiff's Complaint.  
12 1.77. denies the allegations contained in Paragraph 10.8 of Plaintiff's Complaint.  
13 1.78. denies the allegations contained in Paragraph 10.9 of Plaintiff's Complaint.  
14 1.79. Except as so admitted, ARM denies each and every allegation in Plaintiff's  
15 Complaint.

## 16 II. AFFIRMATIVE DEFENSES

17 Having answered Plaintiff's complaint, the ARM alleges the following affirmative defenses.

- 18 2.1. **Failure to State Claims.**  
19 2.2. **Lack of Subject Matter Jurisdiction.**  
20 2.3. **Waiver.**  
21 2.4. **Bona Fide Error.** Without admitting any violation, if any violation of the FDCPA  
22 occurred, it was not intentional and resulted from a bona fide error notwithstanding the maintenance  
23 of procedures reasonably adapted to avoid any such error.

## 24 III. PRAYER

25 Wherefore having fully answered Plaintiff's complaint, having interposed affirmative  
26 defenses and counterclaims, the prays for the following relief:

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3.1. Dismissal of the Action with prejudice, and with costs and attorney fees to ARM.

3.2. For such other and further relief as October be provided by law.

Dated March 16, 2009.

DAVENPORT & HASSON, LLP

s/ Jeffrey I. Hasson

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